



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY FORCES COMMAND
FORT MCPHERSON, GEORGIA 30330-6000

REPLY TO
ATTENTION OF

AFLG-PRO (715)

23 Mar 99

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 99-19

1. This CIL contains information on the following subjects:

a. Randolph-Sheppard Act (RSA) Applicability to Military Dining Facility Solicitations and Contracts;

b. Air Force replacement of IDIQ contracts with BPAs; and

c. Primer on How to Identify and Order Javits-Wagner-O'Day (JWOD) Program Supplies and Availability of Medical and Surgical Products Catalog.

2. Randolph-Sheppard Act Applicability. The Department of Defense General Counsel's opinion issued 12 Nov 98 (enclosed), stated that the RSA is generally applicable to contracts involving the operation of military dining facilities. It may not be applicable in those instances where the contracts are for discrete services, such as mess attendant services, rather than the overall operation of the dining facility. The OSD is currently pursuing legislative changes to the RSA. We will advise all Directorates of Contracting as soon as any new policy is received. Until any new policy is issued, the Army will follow DoD guidance regarding RSA. The FORSCOM POC for coordination with SARDA is Ms. Hamm, DSN 367-5632.

3. Air Force Use of Basic Purchase Agreements (BPAs) in Lieu of Indefinite Delivery/Indefinite Quantity (IDIQ) Contracts.

Recently, the Air Force reversed its policy to use IDIQ contracts to meet its PC, server, and communication needs. The Air Force decided the use of BPAs would cut procurement costs while keeping technology up-to-date. It is anticipated that the BPA prices will be as competitive as the IDIQ contracts.

AFLG-PRO

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4. Applicability of Javits-Wagner-O'Day for Micropurchases and A Primer on How to Identify and Order Javits-Wagner-O'Day (JWOD) Program Supplies and Availability of Medical and Surgical Products Catalogs (encls 1-3). The JWOD Program, also known as the NIB/NISH, generates jobs and training for Americans who are blind or who have other severe disabilities. It does this through federal agencies' purchases of supplies and services furnished by nonprofit agencies that employ such individuals.

Under FAR Part 8.7, the JWOD Program is a mandatory source of supply for all entities of the federal government, with any payment method (including purchase cards) and at any dollar value. Unlike the Buy American Act and other rules that have been waived by recent procurement reform measures, the JWOD Program's mandatory status remains in effect for all purchases including those under the micropurchase threshold. Most JWOD Program supplies are small value items such as office supplies, cleaning products or medical/surgical supplies that nearly always fall into the micropurchase category.

5. For additional information, please contact Ms. Hamm, DSN 367-5632, hammi@forscom.army.mil.

3 Encls



BEVERLY Y. THOMAS
Acting Chief, Contracting
Division, DCSLOG
Acting Principal Assistant
Responsible for Contracting

February 16, 1999

MEMORANDUM FOR AGENCY SENIOR PROCUREMENT EXECUTIVES

OFFICE OF FEDERAL
PROCUREMENT POLICY

AND THE DEPUTY UNDER SECRETARY OF DEFENSE
(ACQUISITION~ REFORM)

SUBJECT: Applicability of the Javits-Wagner-O'Day Program for Micropurchases

The purpose of this memorandum is to clarify the applicability of the Javits-Wagner-O'Day (JWOD) Act to micropurchases (purchases under \$2,500). The JWOD Program, also known as "NIB/NISH," generates jobs and training for Americans who are blind or who have other severe disabilities. It does so through Federal agencies' purchases of *supplies* and services furnished by nonprofit agencies that employ such individuals.

Under FAR Part 8.7, the JWOD Program is a mandatory source of *supply* for all entities of the Federal Government, with any payment method (including purchase cards) and at any dollar value. Unlike the "Buy American" Act and other rules that have been waived by recent procurement reform *measures*, the JWOD Program's mandatory *status remains in effect* for all purchases-including those under the micropurchase threshold. In fact, most JWOD Program supplies are small value items such as office supplies, cleaning products or medical/surgical supplies that nearly always fall into the *micropurchase* category.

This Administration is committed to increasing employment of adults with disabilities, among whom the unemployment rate is nearly 75 percent. Purchasing JWOD *products and services* is one way of addressing that goal. I urge you to take steps to educate buyers in your agency about the continuing mandatory status and valuable benefits of this **unique** Federal procurement endeavor. Please distribute the attached information sheet to *appropriate offices* in your department or agency and ensure your credit card training program addresses JWOD purchasing.

Attachment

**JWOD PROGRAM PRIMER:
HOW TO IDENTIFY AND ORDER JWOD PROGRAM SUPPLIES**

The JWOD Program is administered by the Committee for Purchase From People Who Are Blind or Severely Disabled, an *independent* agency of the Federal Government. Two nonprofit organizations, *National Industries for the Blind* (NIB) and NISH (serving people with a wide range of disabilities), have been designated by the Committee to assist State and private nonprofit agencies nationwide as they participate in the JWOD Program.

A list of JWOD Program supplies, many carrying the "SKILCRAFT" brand name, can be found on the JWOD web site at www.jwod.gov. Print catalogs are also available by calling (800) 433-2304, faxing requests to (703) 603-0655 or emailing requests to info@jwod.gov. Both the web site and the JWOD catalog also provide information on the many services available under the JWOD Program.

JWOD supplies are generally purchased through distributors, including Government agencies such as the General Services Administration or the Defense Logistics Agency.

On-line browsing and *shopping* is possible through GSA Advantage! at www.fss.gsa.gov. The Department of Defense (DOD) Electronic Mall (www.emall.dla.mil) includes military-unique JWOD items,

JWOD supplies are also available at military base supply centers, and through authorized commercial distributors providing next-day delivery.

More information on these distribution sources is provided on the JWOD web site at www.jwod.gov. The JWOD Program is good business for the Government. Quality supplies and services, when you need them and at reasonable prices. At the same time, the JWOD Program creates stable employment for persons with severe disabilities, a population whose unemployment rate exceeds 70 percent. The JWOD Program is a cost-effective way for the Government to assist persons with disabilities--enabling many individuals to reduce dependence on Government transfer *payments* and to join the ranks of taxpayers.

Training materials, including slide presentations and videos, are also available on the JWOD web site at www.jwod.gov. For more information, please contact Eric Beale, Procurement Analyst, at (703) 603-7743 or ebeale@jwod.gov.



DEPARTMENT OF THE ARMY
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REPLY TO
ATTENTION OF

05 FEB 1998

SARD-PS

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: JWOD Program Medical and Surgical Products Catalog

As a member of the President's Committee for Purchase From People Who Are Blind or Severely Disabled, I would like to emphasize my personal support for the Javits-Wagner-O'Day (JWOD) Program, which creates jobs and vocational training opportunities for people who are blind or who have other severe disabilities. The new JWOD Program Medical and Surgical Products Catalog is enclosed for your use, and offers toll-free direct ordering, or you may specifically request JWOD products when ordering from your prime vendor(s).

Please review the JWOD Catalog prior to ordering commercial medical or surgical items. The JWOD Program is a mandatory source of supply for all Government entities (FAR Part 8.7) and applies at any dollar value. Even micropurchases (under \$2,500) are subject to the JWOD Program's requirements.

The JWOD Program is more than just the law. The JWOD Program is a quality supplier, delivering on time and at reasonable prices. At the same time, it creates steady employment for Americans with severe disabilities. The JWOD Program enables these individuals to work, earn income and often reduce their dependence on Government transfer payments. Simply put, the JWOD Program is Government at its best.

For more information about the JWOD Program, visit the JWOD web site at www.jwod.gov.

Kenneth J. Oscar
Deputy Assistant Secretary of the Army
(Procurement)

Enclosure

